

C/CAG
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY

*Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park
Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside*

AGENDA

The next meeting of the Legislative Committee
will be as follows.

PLEASE NOTE THAT WE WILL BE MEETING AT 6:00 P.M.
in the 2nd Floor Auditorium!!

Date: Thursday, October 11, 2007 – 6:00 p.m. to
7:00 p.m. Dinner will be served.
Place: San Mateo County Transit District Office¹
1250 San Carlos Avenue
2nd Floor Auditorium
San Carlos, California

PLEASE CALL DIANA SHU (599-1414) IF YOU ARE UNABLE TO ATTEND.

- | | | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------|
| 1. | Public comment on items not on the agenda. | Presentations are limited to 3 minutes. | 6:00 p.m.
5 minutes. |
| 2. | Approval of minutes from June 14, 2007. | Action (Shu) | Pages S2
6:05 p.m.
5 minutes |
| 3. | Briefing from C/CAG's Lobbyist in Sacramento

A position may be taken on any legislation, including legislation not previously identified. | Potential Action (Wes Lujan) | No attachments
6:10 p.m.
20 minutes |
| 4. | Update on Status of C/CAG Sponsored Bills | Information Only (Shu) | Pages S4 attachments
6:35 p.m.
5 minutes |

¹From Route 101 take the Holly Street (west) exit. Two blocks past El Camino Real go left on Walnut. The entrance to the parking lot is at the end of the block on the left, immediately before the ramp that goes under the building. Enter the parking lot by driving between the buildings and making a left into the elevated lot. Follow the signs up to the levels for public parking.

For public transit access use SamTrans Bus lines 390, 391, 292, KX, PX, RX, or take CalTrain to the San Carlos Station and walk two blocks up San Carlos Avenue.

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|-----|-------------------------------------------------------------------------------------------|------------------------------|-------------------------|------------------------|
| 5. | Review and Approval of Legislative Scorecard for 2007-08 Legislative Session - First Year | Action
(Shu) | Pages S5
attachments | 6:35 p.m.
5 minutes |
| 6. | Review and Approval of a Request for Proposals/Qualifications for a State Advocate. | Action
(Shu) | Pages S6
attachments | 6:40 p.m.
5 minutes |
| 7. | Review and Approval of 2008 Legislative Committee Schedule | Action
(Shu) | Pages S7
attachments | 6:45 p.m.
5 minutes |
| 8. | Establish date and time for next meeting. | Action
(Gordon) | | 6:50 p.m.
5 minutes |
| 9. | Other Items/Comments from Guests. | Potential Action
(Gordon) | | 6:55 p.m.
5 minutes |
| 10. | Adjournment. | Action
(Gordon) | | 7:00 p.m. |

NOTE: All items appearing on the agenda are subject to action by the Committee. Actions recommended by staff are subject to change by the Committee.

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MINUTES
MEETING OF JUNE 14, 2007**

At 6:05 P.M. Chairwoman Deborah Gordon called the meeting to order in the Second Floor Auditorium at the San Mateo Transit District Office.

Committee Members Attending:

Deborah Gordon, Chair (C/CAG Member - Town of Woodside)
Tom Kasten, Vice Chair (C/CAG Member - Hillsborough)
Linda Koelling (C/CAG Member - Foster City)
Rosalie O'Mahony (C/CAG Member - City of Burlingame)
Marc Hershman (C/CAG Member – City of Millbrae)

Guests or Staff Attending:

Richard Napier (C/CAG Executive Director)
Mary McMillan (County of San Mateo, Deputy County Manager)
Wes Lujan (Advocation)– via teleconference
Diana Shu, (C/CAG Staff)

1. Public comment on items not on the agenda.

None.

2. Approval of minutes from May 10, 2007.

Quorum: minimum 5 voting members present

Motion:

Rosalie O'Mahony, first

Linda Koelling, second

Motion passed 4 Ayes-0 Nays-1 Abstain

Correct start time. Approved as noted.

3. Mary McMillan provided updates on county wide mental health programs: Highest priority for County is to maintain revenues for mental health programs. The Mental Ill Offender Program is more cost effective than other correctional programs. Nonetheless the state is planning to cut funding to health programs to put into the prison programs.

4. **Briefing from C/CAG's Lobbyist in Sacramento (teleconference)**
 - a. June 8, 2007 was the deadline for bills to leave the House of Origin.
 - b. Global warming – there are many bills related to clean air technology for construction vehicles to reduce greenhouse emissions
 - c. Budget issues – Prison guard issues still on going. Tribal issues, term limits, transit money, high speed rail, Williamson Act, lots of variables.
 - d. Updates on SB 613 – successful meeting in Assembly Committee in Local Government.
 - e. Update on AB 468 – looking good. Staff has been working with CHP. There are two other bills in this section of the code one for Mobile Home Trailers and the other for a \$2 increase which has to be reconciled with this bill in the Senate.
 - f. SCA 12 is similar to ACA 10 but it is still hard to get Republican votes
 - g. In general, several Republicans have taken the stand to oppose any fee bill that does not have a 2/3 popular majority approval regardless of the issue.
 - h. Water bills – canals, etc. lots of movement in water and environment
 - i. Bond SB 732 Integrated Regional Water Management Guidelines. Wes will email info to Rosalie O'Mahoney
 - j. Deborah C. Gordon asked about information regarding net metering, AB 1223, which looks at allowing government entities to use solar power generated at one facility to count towards energy usage at another facility.
5. **SB 286 (Loenthal and Dutton) transportation Bonds: Prop 1B Funding for Local Streets and Roads**
 - a. Moved from Senate to Assembly with a 16-0 vote. Bill may get amended pending approval in Assembly as it is not likely to meet the FY 07-08 Budget deadline of June 30. – Information Only.
6. **Support for SCA 12 (Yee Torlakson) Constitutional Amendment to the State Constitution Regarding Fees for Stormwater and Urban Runoff**
 - a. SCA 12 would exclude Prop 218 requirement from all flood control and storm-water pollution prevention programs that are mandated by the Federal Clean Water Act.
 - b. **Action: Diana Shu: send letter of support for SCA 12**
Motion:
Marc Hershman, first
Linda Koelling, second
Motion passed 5 Ayes – 0 Nays – 0 Abstain
7. **Support for ACA 8 (De LaTorre) Constitutional Amendment to the State Constitution Regarding Eminent Domain and AB 887 (De LaTorre) Redevelopment: Eminent Domain Relocation Assistance.**
 - a. ACA8 was gutted and replaced with a language directed at providing strong protections for homeowners and small businesses against eminent domain. Its companion bill AB 887 provides additional protections and for relocation assistance to the tenant, owner, and small business owner in the event of a take.
 - b. **Action Diana Shu: send letter of support for ACA 8 and AB 887**

Motion:
Linda Koelling, first
Rosalie O'Mahoney, second
Motion passed 5 Ayes – 0 Nays – 0 Abstain

8. **Review and approval of C/CAG Legislative Positions and Legislative Update**
 - a. Member made a motion to add AB 1223 – Net metering bill to this list.
 - b. Committee Approved list as amended.
9. **Establish date and time for next meeting.**
 - a. August 9, 2007 at 6:00 PM Second Floor Auditorium at the San Mateo Transit District Office.
10. **Other Items/Comments from Guests**

None
11. **Adjournment**
 - a. The meeting was adjourned at approximately 6:45 P.M

C/CAG AGENDA REPORT

Date: October 11, 2007
To: C/CAG Legislative Committee
From: Richard Napier, Executive Director
Subject: Update on Status of Bills Sponsored by C/CAG
(For further information contact Diana Shu at 599-1414)

RECOMMENDATION

Information Only.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

This legislative session, C/CAG sponsored 3 bills. All three are currently enrolled pending the Governor's approval. SB 613 has until Oct 7, AB 468 until Oct 12, and SB 451 until Oct 14 midnight. There are currently 600 other bills with the Governor awaiting his final decision.

ATTACHMENTS

Final Bill Versions

1. SB 613 – Reauthorization of AB 1546.
2. AB 468 – Revision to the abandoned vehicle abatement program
3. SB 451 – Revision to net metering program

ACTIONS

None

Senate Bill No. 613

Passed the Senate April 16, 2007

Secretary of the Senate

Passed the Assembly August 30, 2007

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 65089.11 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 613, Simitian. Local governments: vehicle fee for congestion and stormwater management.

Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles. Existing law authorizes the City/County Association of Governments of San Mateo County to impose a fee of up to \$4, until January 1, 2009, on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and stormwater pollution within that county.

This bill would provide that the City/County Association of Governments of San Mateo County may reauthorize that fee for a period of 10 years until January 1, 2019, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 65089.11 of the Government Code is amended to read:

65089.11. (a) The City/County Association of Governments of San Mateo County, which has been formed by the resolutions of the board of supervisors within San Mateo County and a majority of the city councils within the county that represent a majority of the population in the incorporated area of San Mateo County, may impose a fee of up to four dollars (\$4) on motor vehicles registered within San Mateo County. The City/County Association of Governments of San Mateo County may impose the fee only if the board of the association adopts a resolution providing for both the fee and a corresponding program for the management of traffic congestion and stormwater pollution within San Mateo County as set forth in Sections 65089.12 to 65089.15, inclusive. Adoption by the board requires a vote of approval by

board members representing two-thirds of the population of San Mateo County.

(b) A fee imposed pursuant to this section shall not become operative until July 1, 2005, pursuant to the resolution adopted by the board in subdivision (a).

(c) The City/County Association of Governments of San Mateo County may reauthorize the fee established under subdivision (a) pursuant to the same conditions required in that subdivision for a period of 10 years and the fee shall terminate on January 1, 2019, unless reauthorized by the Legislature.

Approved _____, 2007

Governor

Assembly Bill No. 468

Passed the Assembly September 5, 2007

Chief Clerk of the Assembly

Passed the Senate September 5, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock _____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 9250.7 and 22710 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 468, Ruskin. Vehicles: abatement of abandoned vehicles.

(1) Existing law authorizes a county satisfying specified conditions to establish a service authority for the abatement of abandoned vehicles and to impose a \$1 vehicle registration fee for the abatement of abandoned vehicles. The fees imposed and the moneys received by the service authority from the Abandoned Vehicle Trust Fund, a continuously appropriated fund, can only be used for the abatement, removal, and disposal of abandoned, wrecked, dismantled, or inoperative vehicles from private or public property. The service authority is authorized to adopt an ordinance establishing procedures for the abatement, removal, and disposal, as a public nuisance, of an abandoned, wrecked, dismantled, or inoperative vehicle and for the recovery of costs.

This bill would authorize the service authority to use the fees imposed, as well as the moneys received from the Abandoned Vehicle Trust Fund, for the costs associated with the enforcement of the ordinance adopted by the service authority. The service authority would be prohibited from offsetting the costs of vehicles towed under authorities other than the ordinance adopted by the service authority or when the costs are recovered by another provision of law. The service authority would be authorized to carry forward unexpended money in a fiscal year to the following fiscal year for the abandoned vehicle abatement program upon agreement with its member agencies. The service authority would be authorized to carry out an abandoned vehicle abatement from public property after providing a notice specified by a local ordinance of the jurisdiction in which the abandoned vehicle is located and that notice has expired.

(2) Existing law requires a service authority to issue to the Controller a yearend fiscal report by October 31 of each year.

This bill would require the service authority additionally to include in the fiscal report the number of notices to abate issued

to vehicles, the total expenditures by the service authority for towing and storage of abandoned vehicles during the previous fiscal year, and the number of vehicles disposed of pursuant to the abandoned vehicle abatement program in the previous fiscal year. On or before January 1, 2010, and biennially thereafter, the service authority would be required to have a financial audit conducted by a qualified independent 3rd party.

The people of the State of California do enact as follows:

SECTION 1. Section 9250.7 of the Vehicle Code is amended to read:

9250.7. (a) (1) A service authority established under Section 22710 may impose a service fee of one dollar (\$1) on all vehicles, except vehicles described in subdivision (a) of Section 5014.1, registered to an owner with an address in the county that established the service authority. The fee shall be paid to the department at the time of registration, or renewal of registration, or when renewal becomes delinquent, except on vehicles that are expressly exempted under this code from the payment of registration fees.

(2) In addition to the one-dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section shall pay an additional service fee of two dollars (\$2).

(b) The department, after deducting its administrative costs, shall transmit, at least quarterly, the net amount collected pursuant to subdivision (a) to the Treasurer for deposit in the Abandoned Vehicle Trust Fund, which is hereby created. All money in the fund is continuously appropriated to the Controller for allocation to a service authority that has an approved abandoned vehicle abatement program pursuant to Section 22710, and for payment of the administrative costs of the Controller. After deduction of its administrative costs, the Controller shall allocate the money in the Abandoned Vehicle Trust Fund to each service authority in proportion to the revenues received from the fee imposed by that authority pursuant to subdivision (a). If any funds received by a

service authority pursuant to this section are not expended to abate abandoned vehicles pursuant to an approved abandoned vehicle abatement program that has been in existence for at least two full fiscal years within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the service authority for the abatement of abandoned vehicles in the previous fiscal year, the fee imposed pursuant to subdivision (a) shall be suspended for one year, commencing on July 1 following the Controller's determination pursuant to subdivision (e).

(c) Every service authority that imposes a fee authorized by subdivision (a) shall issue a fiscal yearend report to the Controller on or before October 31 of each year summarizing all of the following:

(1) The total revenues received by the service authority during the previous fiscal year.

(2) The total expenditures by the service authority during the previous fiscal year.

(3) The total number of vehicles abated during the previous fiscal year.

(4) The average cost per abatement during the previous fiscal year.

(5) Any additional, unexpended fee revenues for the service authority during the previous fiscal year.

(6) The number of notices to abate issued to vehicles during the previous fiscal year.

(7) The number of vehicles disposed of pursuant to an ordinance adopted pursuant to Section 22710 during the previous fiscal year.

(8) The total expenditures by the service authority for towing and storage of abandoned vehicles during the previous fiscal year.

(d) Each service authority that fails to submit the report required pursuant to subdivision (c) by October 31 of each year shall have its fee pursuant to subdivision (a) suspended for one year commencing on July 1 following the Controller's determination pursuant to subdivision (e).

(e) On or before January 1 annually, the Controller shall review the fiscal yearend reports, submitted by each service authority pursuant to subdivision (c) and due no later than October 31, to determine if fee revenues are being utilized in a manner consistent with the service authority's approved program. If the Controller

determines that the use of the fee revenues is not consistent with the service authority's program as approved by the Department of the California Highway Patrol, or that an excess of fee revenues exists, as specified in subdivision (b), the authority to collect the fee shall be suspended for one year pursuant to subdivision (b). If the Controller determines that a service authority has not submitted a fiscal yearend report as required in subdivision (c), the authorization to collect the service fee shall be suspended for one year pursuant to subdivisions (b) and (d). The Controller shall inform the Department of Motor Vehicles on or before January 1 annually, that the authority to collect the fee is suspended. A suspension shall only occur if the service authority has been in existence for at least two full fiscal years and the revenue fee surpluses are in excess of those allowed under this section, the use of the fee revenue is not consistent with the service authority's approved program, or the required fiscal yearend report has not been submitted by October 31.

(f) On or before January 1 annually, the Controller shall prepare and submit to the Legislature a revenue and expenditure summary for each service authority established under Section 22710 that includes, but is not limited to, all of the following:

- (1) The total revenues received by each service authority.
- (2) The total expenditures by each service authority.
- (3) The unexpended revenues for each service authority.
- (4) The total number of vehicle abatements for each service authority.
- (5) The average cost per abatement as provided by each service authority to the Controller pursuant to subdivision (c).

(g) On or before January 1, 2010, and biennially thereafter, the service authority shall have a financial audit of the service authority conducted by a qualified independent third party.

(h) The fee imposed by a service authority shall remain in effect only for a period of 10 years from the date that the actual collection of the fee commenced unless the fee is extended pursuant to this subdivision. The fee may be extended in increments of up to 10 years each if the board of supervisors of the county, by a two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the extension of the fee.

SEC. 2. Section 22710 of the Vehicle Code is amended to read:

22710. (a) A service authority for the abatement of abandoned vehicles may be established, and a one dollar (\$1) vehicle registration fee imposed, in a county if the board of supervisors of the county, by a two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county have adopted resolutions providing for the establishment of the authority and imposition of the fee. The membership of the authority shall be determined by concurrence of the board of supervisors and a majority vote of the majority of the cities within the county having a majority of the incorporated population.

(b) The authority may contract and may undertake any act convenient or necessary to carry out a law relating to the authority. The authority shall be staffed by existing personnel of the city, county, or county transportation commission.

(c) (1) Notwithstanding any other provision of law, a service authority may adopt an ordinance establishing procedures for the abatement, removal, and disposal, as a public nuisance, of an abandoned, wrecked, dismantled, or inoperative vehicle or part of the vehicle from private or public property; and for the recovery, pursuant to Section 25845 or 38773.5 of the Government Code, or assumption by the service authority, of costs associated with the enforcement of the ordinance. Cost recovery shall only be undertaken by an entity that may be a county or city or the department, pursuant to contract with the service authority as provided in this section.

(2) (A) The money received by an authority pursuant to Section 9250.7 and this section shall be used only for the abatement, removal, or the disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle or part of the vehicle from private or public property. The money received shall not be used to offset the costs of vehicles towed under authorities other than an ordinance adopted pursuant to paragraph (1) or when costs are recovered under Section 22850.5.

(B) The money received by a service authority pursuant to Section 9250.7 and this section that are unexpended in a fiscal year may be carried forward by the service authority for the abandoned vehicle abatement program in the following fiscal year as agreed upon by the service authority and its member agencies.

(d) (1) An abandoned vehicle abatement program and plan of a service authority shall be implemented only with the approval

of the county and a majority of the cities having a majority of the incorporated population.

(2) (A) The department shall provide guidelines for an abandoned vehicle abatement program. An authority's abandoned vehicle abatement plan and program shall be consistent with those guidelines, and shall provide for, but not be limited to, an estimate of the number of abandoned vehicles, a disposal and enforcement strategy including contractual agreements, and appropriate fiscal controls.

(B) The department's guidelines provided pursuant to this paragraph shall include, but not be limited to, requiring each service authority receiving funds from the Abandoned Vehicle Trust Fund to report to the Controller on an annual basis pursuant to subdivision (c) of Section 9250.7, in a manner prescribed by the department, and pursuant to an approved abandoned vehicle abatement program.

(C) A service authority may carry out an abandoned vehicle abatement from a public property after providing a notice as specified by the local ordinance adopted pursuant to Section 22660 of the jurisdiction in which the abandoned vehicle is located and that notice has expired.

(3) After a plan has been approved pursuant to paragraph (1), the service authority shall, not later than August 1 of the year in which the plan was approved, submit it to the department for review, and the department shall, not later than October 1 of that same year, either approve the plan as submitted or make recommendations for revision. After the plan has received the department's approval as being consistent with the department's guidelines, the service authority shall submit it to the Controller.

(4) Except as provided in subdivision (e), the Controller shall not make an allocation for a fiscal year, commencing on July 1 following the Controller's determination to suspend a service authority when a service authority has failed to comply with the provisions set forth in Section 9250.7.

(5) A governmental agency shall not receive funds from a service authority for the abatement of abandoned vehicles pursuant to an approved abandoned vehicle abatement program unless the governmental agency has submitted an annual report to the service authority stating the manner in which the funds were expended, and the number of vehicles abated. The governmental agency shall

receive that percentage of the total funds collected by the service authority that is equal to its share of the formula calculated pursuant to paragraph (6).

(6) Each service authority shall calculate a formula for apportioning funds to each governmental agency that receives funds from the service authority and submit that formula to the Controller with the annual report required pursuant to paragraph (2). The formula shall apportion 50 percent of the funds received by the service authority to a governmental agency based on the percentage of vehicles abated by that governmental agency of the total number of abandoned vehicles abated by all member agencies, and 50 percent based on population and geographic area, as determined by the service authority. When the formula is first submitted to the Controller, and each time the formula is revised thereafter, the service authority shall include a detailed explanation of how the service authority determined the apportionment between per capita abatements and service area.

(7) Notwithstanding any other provision of this subdivision, the Controller may allocate to the service authority in the County of Humboldt the net amount of the abandoned vehicle abatement funds received from the fee imposed by that authority, as described in subdivision (b) of Section 9250.7, for calendar years 2000 and 2001.

(e) A plan that has been submitted to the Controller pursuant to subdivision (d) may be revised pursuant to the procedure prescribed in that subdivision, including compliance with any dates described therein for submission to the department and the Controller, respectively, in the year in which the revisions are proposed by the service authority. Compliance with that procedure shall only be required if the revisions are substantial.

(f) For purposes of this section, “abandoned vehicle abatement” means the removal of a vehicle from public or private property by towing or any other means after the vehicle has been marked as abandoned by an official of a governmental agency that is a member of the service authority.

(g) A service authority shall cease to exist on the date that all revenues received by the authority pursuant to this section and Section 9250.7 have been expended.

(h) In the event of a conflict with other provisions of law, this section shall govern the disbursement of money collected pursuant

to this section and from the Abandoned Vehicle Trust Fund for the implementation of the abandoned vehicle abatement program.

Approved _____, 2007

Governor

Senate Bill No. 451

Passed the Senate September 11, 2007

Secretary of the Senate

Passed the Assembly September 10, 2007

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 399.20 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 451, Kehoe. Energy: renewable electric generation facilities.

Under existing law, the Public Utilities Commission is vested with regulatory authority over public utilities, including electrical corporations. The Public Utilities Act imposes various duties and responsibilities on the commission with respect to the purchase of electricity by electrical corporations and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The program requires that a retail seller of electricity, including electrical corporations, purchase a specified minimum percentage of electricity generated by eligible renewable energy resources, as defined, in any given year as a specified percentage of total kilowatthours sold to retail end-use customers each calendar year (renewables portfolio standard).

Existing law requires every electrical corporation to file with the commission a standard tariff for renewable energy output produced at an electric generation facility, as defined, that is an eligible renewable energy resource and meets other size, deliverability, and interconnection requirements. Existing law requires the electrical corporation to make this tariff available to public water or wastewater agencies that own and operate an electric generation facility within the service territory of the electrical corporation, upon request, on a first-come, first-served basis, until the combined statewide cumulative rated generating capacity of those electric generation facilities equals 250 megawatts. Existing law provides that the renewable energy output of an electric generation facility counts toward the electrical corporation's renewables portfolio standard and resource adequacy requirements.

This bill would instead require every electrical corporation to make the tariff available to any customer of the electrical

corporation, upon request, on a first-come, first-served basis, until the electrical corporation meets its proportionate share of a combined statewide cumulative rated generating capacity of those renewable electric generation facilities, as defined, of 1,000 megawatts. The bill would provide that the renewable energy output of a renewable electric generation facility counts toward the electrical corporation's renewables portfolio standard and resource adequacy requirements. The bill would delete an existing requirement that the electric generation facility be sized to offset part or all of the generator's electricity demand. The bill would authorize a customer receiving electrical service pursuant to an alternative net metering program, as defined, to elect to receive service pursuant to the tariff filed by an electrical corporation pursuant to the bill's requirements and would provide that a customer electing to receive service pursuant to the tariff waives any right the customer otherwise has to thereafter receive service pursuant to an alternative net metering program. The bill would require the commission, in consultation with the Independent System Operator, to establish tariff provisions that facilitate these programs and the reliable operation of the grid.

Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime. Because this bill would require an order or other action of the commission to implement its provisions and a violation of that order or action would be a crime, the bill would impose a state-mandated local program by creating a new crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 399.20 of the Public Utilities Code is amended to read:

399.20. (a) It is the policy of this state and the intent of the Legislature to encourage energy production from renewable resources in an amount commensurate with electricity demand.

(b) As used in this section the following terms have the following meanings:

(1) “Alternative net metering program” means any program that requires an electrical corporation to purchase or credit electricity generated by a subscriber pursuant to Article 3 (commencing with Section 2821) of Chapter 7 of Part 2.

(2) “Renewable electric generation facility” means a facility for the generation of electricity that is owned and operated by a customer of an electrical corporation and that meets all of the following criteria:

(A) Has an effective generating capacity of not more than one megawatt and is located on property owned or under the control of the customer.

(B) Is interconnected and operates in parallel with the electric transmission and distribution grid.

(C) Is strategically located and interconnected to the electric transmission system in a manner that optimizes the deliverability of electricity generated at the facility to load centers.

(D) Is an eligible renewable energy resource, as defined in Section 399.12.

(c) Every electrical corporation shall file with the commission a standard tariff for the renewable energy output produced at a renewable electric generation facility.

(d) The tariff shall provide for payment for every kilowatthour of renewable energy output produced at a renewable electric generation facility at the market price as determined by the commission pursuant to Section 399.15 for a period of 10, 15, or 20 years, as authorized by the commission.

(e) Every electrical corporation shall make this tariff available to customers that own and operate a renewable electric generation facility within the service territory of the electrical corporation, upon request, on a first-come, first-served basis, until the combined statewide cumulative rated generating capacity of those renewable electric generation facilities equals 1,000 megawatts. An electrical corporation may make the terms of the tariff available to customers in the form of a standard contract subject to commission approval. Each electrical corporation shall only be required to offer service or contracts under this section until that electrical corporation meets its proportionate share of the 1,000 megawatts based on the

ratio of its peak demand to the total statewide peak demand of all electrical corporations.

(f) Every kilowatthour of the renewable energy output produced by the renewable electric generation facility, including generation used to offset the customer's own usage of electricity, shall count toward the electrical corporation's renewables portfolio standard annual procurement targets for purposes of paragraph (1) of subdivision (b) of Section 399.15.

(g) The physical generating capacity of a renewable electric generation facility shall count toward the electrical corporation's resource adequacy requirement for purposes of Section 380.

(h) Upon approval by the commission, any tariff or contract authorized by this section may be made available to a customer that employs a renewable electric generation facility that is an eligible renewable energy resource, as defined in Section 399.12, and that has an effective capacity of not more than 1.5 megawatts, if that electric generation facility otherwise complies with this section.

(i) (1) A customer receiving electrical service pursuant to an alternative net metering program may elect to receive service pursuant to the tariff filed by an electrical corporation pursuant to this section.

(2) A customer that elects to receive electrical service pursuant to the tariff filed by an electrical corporation pursuant to this section waives any right that the customer otherwise has to thereafter receive service pursuant to an alternative net metering program.

(j) The commission shall, in consultation with the Independent System Operator, establish tariff provisions that facilitate both the provisions of this chapter and the reliable operation of the grid.

SEC. 2. It is the intent of the Legislature that the pricing structure for the must-take requirements for electrical corporations in Section 1 apply only in the limited circumstances of optional tariffs for renewable distributed generation units of less than 1.5 megawatts generation capacity. This act is not to be interpreted as precedent for the purposes of any other policies or decisions of the Public Utilities Commission or any other state agency or department.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because

the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2007

Governor

C/CAG AGENDA REPORT

Date: October 11, 2007
To: C/CAG Legislative Committee
From: Richard Napier, Executive Director
Subject: Review and Approval of Legislative Scorecard
For 2007-08 Legislative Session – First Year

(For further information contact Diana Shu at 599-1414)

RECOMMENDATION

Review and Approval of Legislative Scorecard For Fall 2007-08 Legislative Session in accordance with staff recommendations.

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Attached report is a summary of the 2007-08 Legislative Votes by Senators Simitian and Yee, and Assembly Members Ma, Mullin, and Ruskin.

Calculations were based on the number of times an individual voted for a particular bill. One support point was scored if a “yes” vote was logged for bills supported by C/CAG and one support point was scored if a “no” vote was logged for bills that was opposed by C/CAG. Similarly an oppose point was scored if the individual voted against C/CAG’s position. Absent votes were not scored.

Note that this method of scoring does not give sufficient recognition to delegates who have sponsored bills on C/CAG’s behalf:

SB 613 – reauthorization of AB 1546 was sponsored by Simitian, and co sponsored by Yee, Ruskin, Mullin and Ma.

AB 468 – AVA bill was sponsored by Ruskin and supported by Simitian and Ma at the hearings.

SB 451- Net metering was sponsored by Simitian

SB 279 – Parking on a State Highway was sponsored by Yee

Staff recommends that additional points be given for sponsoring or co sponsoring a bill.

ATTACHMENTS

1. Fall 2007-2008 Scorecard and voting record on various bills of interest to C/CAG.

ALTERNATIVE

1. Approval of Legislative Scorecard For Fall 2007-08 Legislative Session in accordance with staff recommendations.
2. Approval of Legislative Scorecard For Fall 2007-08 Legislative Session with modifications.
3. Take no Action

C/CAG LEGISLATIVE PRIORITIES FOR 2007 FALL SCORECARD

C/CAG LEGISLATIVE PRIORITIES FOR 2007 FALL SCORECARD											Votes				Status of Bill
No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Ma	Mullin	Ruskin	Simittian	Yee			
		SCA 12	Eliminate 2/3 majority vote for stormwater	S		W	S						1st Floor		
		AB 239	Recording fees: Contra Costa and San Mateo Counties	S				1	2	1			2 yr		
		AB 1254	Property tax revenue allocations: ERAF reduction: affordable housing	S				1					2yr		
		AB 468	Abandoned Vehicle Abatement	S				3	2	3	2	1	Enrolled		
		SB 279	State highways: public nuisance.	S				1	1	2	0	3	Chaptered		
		SB 613	Reauthorization of \$4 motor vehicle fee	S				2	1	2	2	1	Enrolled		
	1B	SB 286	Local streets and roads	S		S	S			1	4	3	2 yr		
		SB 303	Housing element law	pending		O	pending						2 yr		
		ACA 8	Eminent Domain	S		S	S	2	1	1			1st floor		
		AB 887	Eminent Domain	S				1	1	1			2 yr		
Total votes cast								11	8	11	8	8			
Total votes cast in favor of C/CAG Positions								11	8	11	8	8			
Total votes cast against C/CAG Positions								0	0	0	0	0			

Percent in support of C/CAG position

100% 100% 100% 100% 100% 100%

S = Support O = Oppose W= Watch

Scores (+1) votes in support

Scores (-1) votes in opposition

Scores (A) votes if absent

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Votes				Status of Bill
								Ma	Ruskin	Simittian	Ye	
Priority #1 Increase Funding AND Secure stable funding to pay for increased NPDES mandates.												
1.1 Primary focus on maximizing funds from the adopted infrastructure bonds.												
	84	AB 1297	Regional water management			\$						Dead
	84	AB 1315	Flood protection			\$		1				Dead
	84	SB 732	Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal			\$		1	1	3	3	2yr (inactive)
	1E	SB5	Flood management					2	2	1	4	2 yr
		AB 1338	Local coastal programs: nonpoint source pollution	pending		\$		3	2	1	1	2 yr

S = Support O = Oppose N = Neutral strikeout = dead or gutted bill

1.2 Support efforts to exempt NPDES from the super majority voting requirements

	SCA 12	Eliminate 2/3 majority vote for stormwater	S			W						1st Floor
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1.3 Include NPDES as a priority for funding in new sources of revenues (i.e. water bonds).

1.4 Advocate for C/CAG and San Mateo County jurisdictions to be identified as a pilot project to receive earmarked funding.

1.5 Support efforts to reduce NPDES requirements as a way to stimulate business development while still working to improve the quality of the Ocean, Bay, streams, creeks, and other waterways.

1.6 Support efforts to reform the NPDES program while still working to improve the quality of the Ocean, Bay, streams, creeks, and other waterways.

1.7 Support efforts to place the burden/ accountability of reporting, managing and meeting the NPDES requirements on the responsible source not the City or County.

1.8 Oppose efforts to require quantitative limits and Total Maximum Daily Load (TMDL) measures since there are insufficient scientific methods to evaluate the benefits. For this reason C/CAG instead supports the implementation of Best Management Practices (BMP's) to the maximum extent practicable.

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update													
No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	CALCOG	Votes				Status of Bill
									Ma	Mullin	Ruskin	Simittian	
Priority #2 Preserve Funding													
Protect against the diversion of local revenues including the protection of redevelopment funds and programs.													
2.1 Support League and CSAC Initiative to protect local revenues including interpretation and implementation													
		AB 1256	housing density bonus									Dead	
		AB 1449	housing density bonus									Dead	
		AB 1091	TOD Implementation						4	3	2	4	Enrolled

2.2 The 20% redevelopment housing set aside is the primary source of housing funds for cities and counties and must be protected and preserved.

2.3 ADDED Legislation supported by CCAG

	AB 23	Pedestrian Countdown Near Schools or Senior Centers	\$	\$									Dead
	AB 239	Recording fees: Contra Costa and San Mateo Counties	\$						1	2	1		2 yr
	AB 1493	Affordable Housing Innovation Fund: housing trust fund	\$										Dead
	AB 1254	Property tax revenue allocations: ERAF reduction: affordable housing	\$						1				2yr
	AB 468	Abandoned Vehicle Abatement	\$						3	2	3	2	Enrolled
	SB 279	State highways: public nuisance.	\$						1	1	2	0	3 Chaptered
	SB 613	Reauthorization of \$4 motor vehicle fee	\$						2	1	2	2	Enrolled

S = Support O = Oppose N = Neutral strikeout = dead or gutted bill

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	CALCOG	Votes				Status of Bill
									Ma	Ruskin	Simian	Yee	

Priority #2 Preserve Funding

Protect against the diversion of local revenues including the protection of redevelopment funds and programs.

2.4 ADDED Implementation of 2006 Bond Funds, Prop 1A, 1B, 1C

	1B	AB 412	Project Delivery deadlines			\$							Dead
	1B	AB 995	Allocation of proceeds			\$			2	1	2	3	2yr
	1B	AB 1170	Eligibility and application of funds			\$			3	2	3	4	Suspense
	1B	AB 1227	Local Streets and Roads			\$							Dead
	1B	AB 1351	Priority to self help counties			\$			2	1	2	2	Suspense
	1B	AB 1672	Implementation			\$			3	2	3	3	Enrolled
	1B	SB 9	Trade corridors			\$				1	4	3	Suspense
	1B	SB 47	Allocation of bond proceeds			\$							Dead
	1B	SB 286	Local streets and roads	S		\$	S			1	4	3	2 yr
	1B	SB 748	Implementation State and Local Partnerships		S	\$				1	3	3	2 yr
	1C	AB 29	Infill incentive			\$							Dead
	1C	AB 792	allocation of \$100-M in housing-innovation funds			\$							Dead
	1C	AB 1231	Infill development and incentive-grants			\$							Dead
	1C	AB 1675	TOD implementation			\$							
	1C	SB 46	Implementation			\$			1		4	3	2yr
	1C, 84	SB 292	Allocation criteria			\$					+	+	Dead
		SB 303	Housing element law	O		O	pending	O			-2	-2	2 yr
	1C	SB 522	Infill incentives			\$							Dead
	1C	SB 546	Housing levels			\$			1	1	1	2	inactive
	1C	SB 586	Affordable housing			\$			1	2	1	4	Enrolled

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update													
No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	CALCOG	Votes				Status of Bill
									Ma	Mullin	Ruskin	Simittian	Yee
Priority #2 Preserve Funding													
Protect against the diversion of local revenues including the protection of redevelopment funds and programs.													
	84	AB 832	implementation			\$							Dead
	84	AB 1253	Funding for local planning			\$		S	1	1			Enrolled
	84	AB 1303	Grants and loans for local agencies			\$				+			Dead
	84	AB 1602	Greening programs			\$							
	84	SB 167	General plans, grants and incentives			\$						+	Dead
	84	SB 763	Timely cleanup of brownfields			\$							Dead
		AB 57	Safe Routes to Schools						3	2	2	4	4
													Enrolled

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Votes				Status of Bill
								Ma	Mullin	Ruskin	Simittian	Yee

Priority #3 Preserve Funding / Maintain Cost

Protect against increased local costs resulting from State action without 100% State reimbursement for the added costs.

Ensure that there is real local representation on State Boards and Commissions that are establishing policies and 3.1 requirements for local programs.

		ACA 8	Eminent Domain	S			S	2	1	1			1st floor
		AB 887	Eminent Domain	S				1	1	1			2 yr
		ACA 2	Eminent Domain										1st policy
		SB 698	Eminent Domain					1	1	1	1	2	Enrolled

S = Support O = Oppose N = Neutral strikeout = dead or gutted bill

Advocate for the appointment of Administration Officials who are sensitive to the fiscal predicament faced by

3.2 local jurisdictions

3.3 Oppose State action to dictate wage and benefits for local employees.

3.4 Oppose State action to restrict the ability of local jurisdictions to contract for services.

3.5 Advocate for State actions that are required to take into consideration the fiscal impact to local jurisdictions.

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Votes				Status of Bill
								Ma	Mullin	Ruskin	Simittian	Yee
Priority #4 Increase Funding												
Support lowering the 2/3rd super majority vote for local special purpose taxes.												
Support bills that reduce the vote requirement for special taxes such as public safety, infrastructure, and 4.1 transportation.												
		SCA 12	Eliminate 2/3 majority vote for stormwater	S								1st floor

Oppose bills that lower the threshold, but dictate beyond the special tax category, how locally generated funds 4.2 can be spent.

Support bills that reduce the vote requirement for special taxes but increase the vote requirement for general 4.3 taxes.

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update											
No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Votes		Status of Bill	
								Ma	Mullin	Simittian	Yee

Priority #5 Preserve funding
Encourage the State to protect transportation funding and develop an equitable cost-sharing arrangement to pay for any cost overruns on the construction of the Bay Bridge.

5.1 Urge the State to restrict or eliminate transfer of State transportation funds to the State General Fund.

5.2 Urge the State to continue to pursue a solution to the Federal Ethanol tax problem.

5.3 Urge the State to pay back the previous loans within the next four years.

5.4 Direct the C/CAG legislative advocate to monitor and advocate these positions.

5.5 Oppose efforts to divert any of the Regional Measure 2 funds to pay for any Bay Bridge cost overruns.

C/CAG LEGISLATIVE PRIORITIES FOR 2007 September Update

No	Prop	Relevant Bills	Description	C/CAG	MTC	LOCC	CSAC	Votes				Status of Bill
								Ma	Mullin	Ruskin	Simittian	Yee

Priority #6 Increase Funding

Advocate for revenue solutions to address State budget issues that are also beneficial to Cities/ Counties

- 6.1 Support measures to realign the property tax with property related services
- 6.2 Support measures to ensure that local governments receive appropriate revenues to service local businesses.
- 6.3 Support measures to collect sales tax on Internet transactions.
- 6.4 Support expansion of the sales tax to personal and professional services.

Other issues:

Energy:

		AB 1223	Public Utilities: Net energy metering					2	1	1		2 yr
		AB 1714	Energy: solar energy systems					1	2		2	1 Chaptered
		AJR 3	Low-income home energy assistance									1st Policy
		SB 451	Energy:renewable energy resource customer-generators	S				2	1	1	3	3 Enrolled
		SB 1040	Public utilities					4	2	2	1	1 Unfinished Business

S = Support O = Oppose N = Neutral strikeout = dead or gutted bill

C/CAG AGENDA REPORT

Date: October 11, 2007
To: C/CAG Legislative Committee
From: Richard Napier, Executive Director
Subject: Review and Approval on a Request for Proposals/Qualifications for a State Lobbyist

(For further information contact Diana Shu at 599-1414)

RECOMMENDATION

That the Committee approve the Request for Proposal/Qualifications (RFP/Q) for a State Lobbyist.

FISCAL IMPACT

None

SOURCE OF FUNDS

Funds have been allocated in the FY 07-08 budget. Current budget for a lobbyist is \$72,000.

BACKGROUND/DISCUSSION

In 2002, C/CAG began exploring the possibility of using a legislative advocate in Sacramento. On December 12, 2002, C/CAG entered into a contract with Advocacion, Inc. as a one year pilot program. After the first year, the program was considered successful with respect to the number of bills tracked and carried by the lobbyist and with respect to their ability to respond quickly and accurately to issues directly affecting San Mateo County. As a result, the contract has been renewed, year after year since 2002.

However, in accordance with C/CAG policies, that no contract be renewed more than three consecutive terms, staff was instructed, at the November 9, 2006 meeting, to prepare a Request for Proposal/Qualifications to re-examine the contract and scope of services required.

Attached please find a snapshot of the 2007-08 Legislative Session and a Request for Proposal/Qualifications.

2007-08 LEGISLATIVE SESSION

Cost to Benefit Analysis

Total costs of lobbyist for a three year period approximately \$70K/year.

Total (Quantifiable) Benefits received in this same period from the following legislative activities: AB 1546 - \$4 Motor Vehicle Fee = \$2.7M per year for 3.5 years. {Other costs associated with bills that would have impacted San Mateo, such as loss of revenues from AVA, and potential loss of funds from Prop 1B are not included here as they have not materialized.}

$$\text{Cost/Benefit Ratio} = \$2.7M / \$0.07M = 38.5$$

Sponsored two bills:

AB 468 Abandoned Vehicle Abatement – enrolled
SB 613 \$4 Motor Vehicle Fee – enrolled

Supported the following bills:

AB 239 Recording fees Contra Costa and San Mateo Counties – 2yr bill
AB 887 Redevelopment: eminent domain: relocation assistance – 2 yr bill
AB 1254 Property tax revenue allocations ERAF – 2 yr bill
ACA 8 Eminent Domain – 1st floor
SB 279 State highway: public nuisance - Chaptered
SB 286 Transportation bonds; implementation – 2 yr bill
SCA 12 Local government- eliminate 2/3 vote on sewer fees – 1st floor
SB 451 Net metering - enrolled

Opposed the following bill:

SB 303 Land use and planning – 2 yr bill

Number of bills tracked: 94

POTENTIAL LEGISLATIVE ACTIVITY FOR THE FUTURE

- Continue with legislative efforts in net metering, energy usage
- Work with Transit District on transit funding in response to recent budget cuts
- Look into alternative fuel legislation or grants
- Review bills related to C/CAG legislative priorities
- Review environmental bills which may impact C/CAG member agencies
- Work with legislators on issues that impact San Mateo County

TENTATIVE TIMELINE

- Review RFP/RFQ by Oct 11 (Legislative Committee mtg)
- Advertise Week of Oct 22 and 29
- Receive applications by Nov 5
- Review applications on Nov 8 (Legislative Committee mtg)
- Thanksgiving
- Schedule Interviews for week of December 3
- Review applicants after last interview.
- Submit top three applicants and make recommendations to the Board for one applicant.
- Negotiate terms of contract week of Dec 10 and 17th
- Award contract on Dec 13 or Jan 10 at C/CAG board mtg.

ATTACHMENTS

Request for Proposals/Qualifications for Providing Legislative Advocacy (Lobbying) Services

ALTERNATIVES

1. Approve the Request for Proposal/Qualifications (RFP/Q)
2. Approve the Request for Proposal/Qualifications (RFP/Q), with modifications.
3. Take no action.

*Request for
Proposals/Qualifications
For Providing Legislative
Advocacy (Lobbying) Services*

City/County Association of Governments of San Mateo County
555 County Center, 5th Floor
Redwood City, CA 94063

Submittal Date
November 5, 2007

Request For Proposals/Qualifications For Providing Legislative Advocacy Services For The City/County Association of Governments Of San Mateo County.

The City/County Association of Governments (C/CAG), a Joint Powers Agency composed of the County of San Mateo and all twenty cities located within the County, invites you to submit a proposal detailing qualifications and costs for providing legislative advocacy services. The firm/individual selected will represent C/CAG's legislative policy interests with the State of California Legislature and with individual State officials.

Proposals/letters of qualifications must be received in the C/CAG Office **NO LATER THAN 9:00 A.M., Monday, November 5, 2007**. One copy of the proposal should be mailed or delivered to:

City/County Association of Governments
555 County Center, 5th Floor
Redwood City, CA 94063

Attention: Diana Shu
Phone: 650 599-1414 Fax: 650 361-8227

History and Overview of C/CAG

Background

The City/County Association of Governments of San Mateo County (C/CAG) was created by a Joint Powers Agreement (JPA) in the fall of 1990, to address diverse issues that transcend political boundaries within San Mateo County. All twenty of San Mateo's cities joined the County to establish the JPA. Currently, C/CAG's primary purpose is to prepare, adopt, monitor, and enforce the following programs:

Congestion Management Agency

In 1990, as a result of the passage of Propositions 108 and 111 by the voters and the enactment of enabling laws by the California Legislature, every urbanized county in California was required to designate a Congestion Management Agency (CMA). This Agency is responsible for preparing, implementing, and biennially updating a Congestion Management Program (CMP). All of the cities in San Mateo County joined together with the County to form the City/County Association of Governments (C/CAG) and established it as the CMA. The primary purposes of a CMP is to: develop procedures to alleviate or control anticipated increases in roadway congestion; ensure that government together with business, private, and environmental interests develop and implement comprehensive strategies to address future congestion problems; make available funding to local jurisdictions that resulted from the increase in the gas tax.

As the CMA for San Mateo County, C/CAG is responsible for allocating the State Transportation Improvement Program (STIP) funds and the Federal Transportation Equity Act for the 21st Century (TEA-21) funds to projects in this County.

Transportation Fund for Clean Air Program Manager

AB 434 is legislation that authorizes the Bay Area Air Quality Management District (BAAQMD) to impose a fee on motor vehicles to fund city, county, transit district, or other public agency transportation control projects that most effectively achieve emissions reductions from motor vehicles. The monies collected become the Transportation Fund for Clean Air. Forty percent of the fee revenues generated in San Mateo County are allocated to C/CAG to fund projects within the County. The annual allocation is approximately one million dollars. Generally the funds are used for shuttle programs and Countywide transportation demand management programs.

Integrated Solid Waste Management

The California Integrated Waste Management Act of 1989, more commonly known as AB 939, requires each county in California to have a Local Task Force (LTF) with specific responsibilities in the area of waste management. C/CAG is the designated LTF in San Mateo County and the Solid Waste Advisory Committee (SWAC) is an advisory committee to the C/CAG/LTF.

Airport Land Use

C/CAG is the designated Airport Land Use Commission for San Mateo County. State law requires the Commission to prepare and implement a comprehensive Airport Land Use Plan for each public use airport in the County. The C/CAG Airport Land Use Committee (ALUC) makes recommendations to the Commission (C/CAG), related to the administration and implementation of the Airport Land Use Plan (e.g. consistency reviews of proposed local agency land use policy actions, Plan amendments, etc.).

Hazardous Waste Management

In accordance with a 1986 State law, the San Mateo County Hazardous Waste Management Plan was prepared to promote countywide waste reduction efforts, and identify appropriate locations for hazardous waste treatment and storage facilities when needed in the County. The plan (1) analyzes the hazardous waste stream within San Mateo County, (2) determines the need for hazardous waste management facilities within the County, (3) identifies areas in the County suitable for siting new facilities, (4) evaluates the potential for waste reduction, and (5) identifies the opportunities to better manage hazardous waste generated by small businesses and households.

Storm Water Management (NPDES)

C/CAG is the administrative and policy-making authority responsible for implementation and compliance with the Countywide National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Discharge Permit issued by the San Francisco Bay Regional Water

Quality Control Board (Regional Board). The Management Plan for this program includes:

- Municipal Government Maintenance Activities
- Control of Pollutants in Stormwater from Commercial and Industrial Businesses
- Public Information Participation Activities
- New Development and Construction Site Controls
- Illicit Discharge Elimination Activities
- Collaborative Monitoring

Abandoned Vehicle Abatement (AVA)

As the Abandoned Vehicle Abatement Authority for San Mateo County, C/CAG distributes the \$1 surcharge on each registered vehicle that is collected by the State to support this activity. Every jurisdiction in San Mateo County is eligible to receive its share of these funds based on the number of abandoned vehicles and parts that are removed from that jurisdiction's streets and other properties.

Transportation Development Act (TDA)

C/CAG is responsible for evaluating and recommending those projects to be funded by Transportation Development Act Article 3 revenues. Primarily, these projects are related to bicycle and pedestrian improvements.

AB1546 - \$4 Motor Vehicle Fee for Congestion Management and Storm water Pollution Management

AB 1546 was chartered in 2004. This bill allows San Mateo County to charge a fee of \$4 motor vehicle fee to support programs that reduce traffic congestion, promote clean air vehicles to reduce storm water pollution, and fund state mandated storm water pollution programs that are not currently funded by other programs.

Joint Powers Agreement (JPA)

C/CAG was created by a JPA that prescribes the composition, purposes and activities of the Board of Directors, voting procedures, budgeting and financing processes, and staffing arrangements. The C/CAG Board consists of one Councilmember from each participating City and one member of the Board of Supervisors. In addition, there are two non-voting ex-officio members: a member of the San Mateo County Transit District Board and a member of the San Mateo County Transportation Authority.

SCOPE OF SERVICES

The purpose of this contract is to retain a part-time consultant to 1) monitor and review a limited number of pending legislation, policies, and regulations, and 2) advocate C/CAG's interests with the California Legislature and its members and other parties as appropriate. The bills tracked by the consultant and the C/CAG Legislative Committee may include any subject matter that is of concern to C/CAG member agencies (20 cities and County). During the active legislative session the consultant will be directed to focus attention on a few specific bills (5 to 10 bills) that will be identified by C/CAG and its Legislative Committee as being high priority. Some of the typical activities that could be performed by the consultant may include:

1. General
 - a. Assist in the development of strategies for advancing actions at the State level that are beneficial to C/CAG and its member agencies.
 - b. Represent and advocate on behalf of C/CAG in its dealings with relevant State agencies and related interest groups including but not limited to 1) California Legislature, 2) Governor's Office, 3) Individual Legislators and their staff members.
2. Facilitate Communication
 - a. Develop and maintain contact with members of the Legislature and state agencies in order to facilitate regular communication with and about C/CAG.
 - b. Meet with State representatives on a regular basis to provide briefings on issues of interest or concern to C/CAG.
 - c. Solicit input from State representatives on issues of concern to C/CAG and report it to C/CAG on a regular basis.
 - d. Arrange appointments with Legislators and other State representatives to meet with C/CAG representatives.
 - e. Coordinate with legislative advocates for other public agencies such as the League of California Cities, California State Association of Counties, Metropolitan Transportation Commission, etc.
3. Monitor and Evaluate
 - a. Identify and evaluate the potential impact of proposed legislation, policies, and regulations on C/CAG and its member agencies.
 - b. Work with State representatives to identify and amend bills and other proposed legislative or regulatory language in order to meet C/CAG concerns.
 - c. Advocate C/CAG's position to appropriate State legislative, executive, and administrative committees, board, and commissions.
4. Initiate and Advocate
 - a. Advise C/CAG on opportunities to pursue C/CAG objectives through the Legislature and various State agencies.
 - b. Assist in drafting legislation on behalf of C/CAG.
 - c. Formulate and manage strategies to achieve passage of C/CAG's legislative initiatives (if any).
 - d. Make presentations to and testify on behalf of C/CAG before legislative and administrative bodies.
5. Report and Respond
 - a. Provide regular reports summarizing the Consultant's activities under the contract with C/CAG.
 - b. Appear before the C/CAG Board and/or Legislative Committee to provide an overview and summary of current and future activities or to report on a particular item of concern to

C/CAG.

- c. Respond to C/CAG's requests for information about pending State legislation, regulations, or policies.

SUBMITTAL REQUIREMENTS

Each proposal must include the following information. This information should be confined to **no more than ten pages** excluding resumes of staff members. Please submit ten copies of your proposal.

1. Firm name, business address, telephone and fax numbers, e-mail address.
2. Date of establishment of business.
3. Type of organization (individual, partnership, or corporation).
4. Description of firm's experience with local government agencies, if any.
5. Description of firm's experience with other types of clients.
6. List of current clients and contact information.
7. Names of individuals who would be directly engaged in performance of work under this solicitation. For each of the individuals please submit:
 - a. Number of years experience in legislative advocacy services
 - b. List of references and contact information
 - c. Brief description of work performed for these references or relationship to these references
8. Describe any particular areas of specialty that your firm has (such as type of client and/or subject matter and/or other).
9. Cost proposal – C/CAG has budgeted approximately \$70,000 per year. Provide a description of the services that will be performed for this amount of money or a lesser amount of funds. Include the number of legislative bills that might be addressed and how your firm would promote C/CAG's position on these bills.
10. Describe what you would do in a situation where two or more of your clients have conflicting views and/or positions on an item you have been requested to work on.

Proposers should refrain from including unnecessary general marketing and promotional material. Evaluation of the proposals will be based solely on how well the proposer responds to the information requested in this solicitation and the qualifications of the staff to be designated to perform the tasks requested.

EVALUATION AND SELECTION PROCEDURE

A committee composed of elected officials and staff will prescreen all applications. Approximately three to five firms will be invited to an oral interview with the C/CAG Legislative Committee. This will likely occur the week of December 3, 2007. The Committee is composed of seven City Council Members/Members of the Board of Supervisors appointed by the C/CAG Board. The Committee will recommend the selection of a firm to the C/CAG Board at its meeting on December 13, 2007. It is anticipated that a draft contract will also be presented at that time so that the services can begin immediately.

C/CAG AGENDA REPORT

Date: October 11, 2007
To: C/CAG Legislative Committee
From: Richard Napier, Executive Director
Subject: Review and Approval of 2008 Legislative Committee Schedule
(For further information contact Diana Shu at 599-1414)

RECOMMENDATION

Review and Approval of 2008 Legislative Committee Schedule

FISCAL IMPACT

None.

SOURCE OF FUNDS

Not applicable.

BACKGROUND/DISCUSSION

Various members of the committee have asked about starting times and dates for the 2008 Legislative Committee Meetings. Staff thought it would be a good time to discuss when the committee would like to meet: times and dates.

ATTACHMENTS

1. Proposed 2008 Legislative Committee Schedule
2. State Legislative Calendar for 2007 (for reference)

ALTERNATIVE

1. Approval of 2008 Legislative Committee Schedule in accordance with staff recommendations.
2. Approval of 2008 Legislative Committee Schedule with modifications.
3. Take no Action

2008 Calendar
City / County Association of Governments
of San Mateo County (C/CAG)

Legislative Committee

Time: 5:00 p. m. to 7:00 p.m.¹

Location: 2nd Floor Auditorium
San Mateo County Transit District
1250 San Carlos Avenue
San Carlos

January 10	
February 14	
March 13	
April 10	
May 8	
June 12	
July	No meeting
August 14	
September 11	
October 9 ²	No meeting
November 13	
December 11	

¹ Unless noted otherwise, SamTrans RE please note that these meetings will require telephone access for polycom speaker unit.

² Yom Kippur –cancelled